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PATENT #6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : KARL-HEINZ BOVEN, ET AL.
Application No. : 09/785,559
Filed : February 16, 2001
For : APPARATUS FOR EXECUTING ELECTRO-
PHYSIOLOGICAL MEASUREMENTS ON CELLS
Attorney's Docket : WITTE-011XX

Group Art Unit:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on 10-15-1.

By: Charles L. Gagnebin III
Charles L. Gagnebin III
Registration No. 25,467
Attorney for Applicant(s)

L E T T E R

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice of Incomplete Reply dated October 9, 2001 (copy enclosed), enclosed please find:

- [X] Abstract of the technical disclosure.
 - [X] A Petition for Extension of Time for 2 months is hereby made, under provisions of §1.136(a); a check in the amount of \$200.00 is enclosed per §1.17.
 - [X] Small entity status is entitled to be, and hereby is, asserted for this application.

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The notice also indicates that an additional claim fee of \$297.00 is due. This fee was included in the \$652.00 check for the filing fee (\$355.00 for the small entity application fee and \$297.00 for the additional claim fee) filed with the response to the Notice to File Missing Parts on August 13, 2001. Attached is a copy of the return receipt postcard indicating that a check for \$652.00 was included with the response. Therefore it is believed that this fee is not due.

Please add an abstract at page 36 as follows:

Abstract

Apparatus for conducting electrophysiological measurements on cells wherein a measuring head is provided with at least one electrode in a common support for impaling the cells.

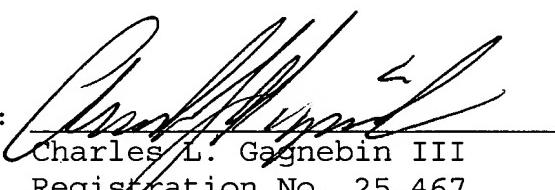
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It is noted that the Notice to File Missing Parts did not have a requirement for an abstract. Therefore there is no basis for applicant to be charged extension fees for the abstract or the incorrect filing fee and a refund is requested.

In the event any additional fee is required, please charge such amount to Patent and Trademark Office Deposit Account No. 23-0804. A triplicate of this transmittal letter is enclosed.

Respectfully submitted,

KARL-HEINZ BOVEN, ET AL.

By: 

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CLG:kmw/260176-1
Enclosure